

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15-CR-00250-RJC

USA)
)
 v.) ORDER
)
 MATEO MERAZ (1))
)

THIS MATTER is before the Court on the defendant's pro se motion for the return of seized property, pursuant to Fed. R. Crim. 41(g), (Doc. No. 77), and the government's response, (Doc. No. 79).

Now that he has been sentenced, the defendant seeks the return of a Mac Pro laptop computer, a hard drive unit, and a Samsung cellphone seized at the time of his arrest. (Doc. No. 77: Motion at 1). The government intends to return the items when the convictions of all co-defendants are final, (Doc. No. 77: Response at 1), even though the defendant stipulated to their forfeiture in his plea agreement, (Doc. No. 41 at ¶ 9). One co-defendant remains pending for sentencing and the other co-defendant's time to appeal has not run. Thus, the Court finds that the instant motion is premature.

IT IS, THEREFORE, ORDERED that the defendant's motion, (Doc. No. 77), is **DENIED without prejudice** to be re-filed, if necessary, when the convictions of all co-defendants are final.

Signed: September 6, 2016


Robert J. Conrad, Jr.
United States District Judge
